

CCRB INVESTIGATIVE RECOMMENDATION

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|--|-------------------------------------|-------------------------------------|---|------------------------------------|---------------------------------|
| Investigator: Erin Brokate | Team: Team # 2 | CCRB Case #: 201109500 | <input type="checkbox"/> Force | <input type="checkbox"/> Discourt. | <input type="checkbox"/> U.S. |
| | | | <input checked="" type="checkbox"/> Abuse | <input type="checkbox"/> O.L. | <input type="checkbox"/> Injury |
| Incident Date(s) Saturday, 07/16/2011 5:57 PM | Location of Incident: § 87(2)(b) | Precinct: 76 | 18 Mo. SOL 1/16/2013 | EO SOL 1/16/2013 | |
| Date/Time CV Reported Thu, 07/21/2011 7:10 PM | CV Reported At: CCRB | How CV Reported: On-line website | Date/Time Received at CCRB Thu, 07/21/2011 7:10 PM | | |

| Complainant/Victim | Type | Home Address |
|--------------------|------------|--------------|
| § 87(2)(b) | § 87(2)(b) | § 87(2)(b) |
| § 87(2)(b) | § 87(2)(b) | § 87(2)(b) |

| Subject Officer(s) | Shield | TaxID | Command |
|-----------------------|--------|--------|---------|
| 1. LT Barbara Fischer | 00000 | 920284 | PSA 3 |
| 2. Officers | | | |

| Officer(s) | Allegation | Investigator Recommendation |
|----------------------|--|-----------------------------|
| A. Officers | Abuse: Officers stopped § 87(2)(b) | § 87(2)(b) |
| B. Officers | Abuse: Officers entered and searched § 87(2)(b) in Brooklyn. | § 87(2)(b) |
| C.LT Barbara Fischer | Abuse: Lieutenant Barbara Fischer threatened to arrest § 87(2)(b) and § 87(2)(b) | § 87(2)(b) |
| D. Officers | Abuse: Officers threatened to arrest § 87(2)(b) | § 87(2)(b) |
| E.LT Barbara Fischer | Abuse: Lieutenant Barbara Fischer threatened to notify Administration for Children's Services. | § 87(2)(b) |
| F. Officers | Abuse: Officers threatened to notify Administration for Children's Services. | § 87(2)(b) |

Case Summary

The following complaint was filed by § 87(2)(b) via email at the CCRB on July 21, 2011. § 87(2)(b) alleged that on July 16, 2011 at approximately 5:57 p.m., he was sitting outside of his grandmother's home, which is located at § 87(2)(b) in Brooklyn. § 87(2)(b)'s grandmother's name is § 87(2)(b). Approximately six plainclothes officers arrived on scene and asked § 87(2)(b) if his name was § 87(2)(b). § 87(2)(b) told the officers that it was not. Despite this, the officers handcuffed § 87(2)(b) and proceeded to enter § 87(2)(b)'s home (**Allegations A and B**). § 87(2)(b) was made to stand handcuffed outside of the home for approximately 25 minutes. One of the officers on scene, who § 87(2)(b) identified by name as Lieutenant Barbara Fisher of PSA 3, showed § 87(2)(b) photos of an individual that § 87(2)(b) did not recognize. She threatened to arrest § 87(2)(b) and § 87(2)(b) who was inside the home at this time, if this individual did not appear at § 87(2)(b)'s home within an hour (**Allegation C**). Lt. Fisher and the additional officers on scene threatened to arrest and report § 87(2)(b) to ACS if she did not sign some unknown papers (**Allegations D, E and F**). Although § 87(2)(b) stated that he was placed under arrest, no arrest reports could be located regarding this incident. Because § 87(2)(b) was able to identify Lt. Fisher by name, allegations of abuse of authority are being pleaded against her. Because § 87(2)(b) was unable to provide any identifying information for the additional subject officers, allegations of abuse of authority are being pleaded against "Officers."

On July 25, 2011, first "please call" letters were sent to § 87(2)(b) and § 87(2)(b). On July 28, 2011, a first phone call was placed to § 87(2)(b). He stated that he would talk the matter over with § 87(2)(b) and call back once he had done so. On August 2, 2011, a second phone call was placed to § 87(2)(b) who scheduled an appointment for himself and § 87(2)(b) at the CCRB on August 10, 2011. On August 10, 2011, § 87(2)(b) called to reschedule the appointment for August 15, 2011. On August 15, 2011, both § 87(2)(b) and § 87(2)(b) missed their first appointment at the CCRB without calling beforehand to cancel or reschedule. On August 22, 2011, a "missed appointment" letter was sent to both § 87(2)(b) and § 87(2)(b). On August 30, 2011, phone calls were placed to both § 87(2)(b) and § 87(2)(b) regarding their missed appointments. § 87(2)(b) was unable to talk because he was at work and there was no answer or available voicemail at § 87(2)(b)'s home. On September 7, 2011, following two separate phone calls, § 87(2)(b) and § 87(2)(b) both scheduled appointment at the CCRB on September 9, 2011. On September 9, 2011, both individuals missed the scheduled appointment without calling beforehand to cancel or reschedule. On September 14, 2011, a search of the NYC Department of Corrections website search showed that neither § 87(2)(b) nor § 87(2)(b) is currently incarcerated in New York City. To date, none of the letters sent to either individual have been returned to the CCRB.

§ 87(2)(g)

Team: _____

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| Investigator: | _____ | _____ | _____ |
| | Signature | Print | Date |

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| Supervisor: | _____ | _____ | _____ |
| | Title/Signature | Print | Date |

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| Reviewer: | _____ | _____ | _____ |
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